

Chapter 10 - ANIMALS^[1]

Footnotes:

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Cross reference— Health and sanitation, ch. 34; disposal of dead animals and garbage on which rats may feed, § 34-110; dogs prohibited on parks, beaches, other public recreational areas; exception; violation, § 58-63.

State Law reference— Hog pens, slaughterhouses, stockyards, stables, MCA 1972, § 21-19-1; animals at-large, pounds, cooperative agreements, MCA 1972, § 21-19-9; purchasing dogs for use of police department, MCA 1972, § 21-21-5; dogs and rabies control, MCA 1972, § 41-53-1 et seq.; hunting and fishing, MCA 1972, § 49-7-1 et seq.; livestock, MCA 1972, § 69-11-1 et seq.; veterinarians, MCA 1972, § 73-39-1 et seq.; cruelty to animals, MCA 1972, § 97-41-1 et seq.

ARTICLE I. - IN GENERAL

Sec. 10-1. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any live, vertebrate creature, domestic or wild, except homo sapiens.

Animal control division means that division of the city charged with enforcement of this chapter.

Animal control officer means any person designated by the city to enforce the provisions of this chapter.

Animal shelter means any facility operated by a humane society, the city, or the county for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

At large means any animal not under restraint.

Boarding kennel means any commercial establishment where any dogs, cats, or other animals are boarded for a fee.

Feral cat means a cat that has escaped from domestication and become wild, dangerous, or untamed.

Feral dog means a dog that has escaped from domestication and become wild, dangerous, or untamed.

For-profit pet breeder means any owner who breeds more than two litters of offspring per year and receives monetary compensation for the sale of these offspring.

Grooming establishment means any commercial establishment at which dogs, cats, or other animals are bathed, groomed, clipped, trimmed, or shorn, and where no animals are kept or maintained on the premises overnight.

Owner means any person owning, keeping, or harboring an animal.

Performing animal exhibition means any spectacle, display, act, or event, other than a circus, in which performing animals are used.

Pet means any animal kept for pleasure rather than utility.

Pet store means any place of business which sells birds, fish, reptiles or mammals intended for use as pets.

Public nuisance means any animal which:

- (1) Damages property of one other than its owner;
- (2) Barks, whines, screams or howls in an excessive, continuous, or untimely fashion; or
- (3) Defecates or frequently urinates on property of one other than its owner.

Restraint means the condition of securing any animal by a leash or lead eight feet or less; within the fenced real property limits of its owner; or by tethering in such a way that the animal is within the real property limits of its owner.

Veterinary hospital means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

Vicious animal means any animal, except dogs, that constitutes a physical threat to human beings or other animals.

Vicious dog means a dog:

- (1) Which has shown a propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals.
- (2) Which, when unprovoked:
 - a. Bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property; or
 - b. Chases or approaches a person upon the streets, sidewalks or on any public grounds in a menacing or terrorizing manner or apparent attitude of attack.
- (3) Which is owned or harbored primarily or in part for the purpose of dogfighting or any dog trained for dog fighting.

Notwithstanding the provisions of this definition, no dog may be considered a vicious dog if an injury or damage is sustained by a person who, at the time of such injury or damage, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime. No dog may be considered vicious if an injury or damage was sustained by a domestic animal which, at the time of such injury or damage, was teasing, tormenting, abusing or assaulting the dog. No dog may be considered vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

Wild animal means any animal which can normally be found in the wild state and is not ordinarily domesticated by man, whether raised in captivity or in the wild.

(Code 1967, § 4-1)

Cross reference— Definitions generally, § 1-2.

Sec. 10-2. - Animal control division and police department to enforce chapter; interfering with officer duties prohibited.

- (a) The animal control division and the police department shall enforce the provisions of this chapter. It shall be a violation of this chapter to interfere with an animal control officer or police officer in the performance of his duties under this chapter.
- (b) Any animal control officer or police officer having probable cause to believe that a person has violated a section of this chapter may file a complaint in the municipal court. The person so charged may be

brought to court by a warrant or citation mailed or hand delivered to such person by an animal control officer or police officer.

- (c) A citizen who has been harmed through a violation of any provision of this chapter, including maintaining a public nuisance violation as the term "public nuisance" is defined in section 10-1 may file charges in municipal court against the violator for such violation.
- (d) An animal control officer may utilize any equipment reasonable and necessary to enforce the provisions of this chapter including, without limitation, humane wire box traps; and an animal control officer may lend such traps or other equipment to private persons for the capturing of animals running at large.
- (e) An animal control officer is authorized to issue tickets, summons, or other process in the same manner as police officers of the city, but in the enforcement of this chapter only.

(Code 1967, § 4-2)

Cross reference— Police department, § 42-31 et seq.

Sec. 10-3. - Giving away as prizes; inducements to trade.

No person shall give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter, any contest, game, or other competition, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade, unless and except such person or organization shall have first obtained a permit for such activity from the supervisor of the animal control division.

(Code 1967, § 4-3)

Sec. 10-4. - Responsibility of owner generally.

- (a) No owner shall fail to:
 - (1) Exercise proper care and control of his animals;
 - (2) Prevent them from becoming a public nuisance as defined in section 10-1, or private nuisance; or
 - (3) Comply with the standards set out next in this section and all other provisions of this chapter.
- (b) It shall be unlawful for animal pens or enclosures where animals are kept to be in an unclean, filthy, or unsanitary condition. All animal pens or enclosures and other places where dogs, cats or other animals are kept shall be kept clean by removal of all offensive matter and by suitable cleansing and disinfecting as often as may be necessary, which care is hereby required and made the duty of every person controlling such places. Lots, stalls and stables for cattle, sheep, goats, horses, and similar animals shall comply with article III of this chapter.
- (c) The owner of every animal including, but not limited to, cats and dogs, shall remove any fecal matter deposited by such animals on public property, walks, streets, or private property of another. It shall be unlawful for the owner of any real property to allow unsanitary or malodorous conditions to develop on his property due to the keeping, maintaining, owning, or harboring of animals. Reasonable efforts shall be made to keep yards, pens, premises, and animals free of insect infestation.
- (d) Animal pens or enclosures shall be large enough to provide reasonable freedom of movement to the animals contained therein. Food supplies shall be stored in rodent-proof containers. Food and water containers shall be kept clean, and litter and bedding materials shall be changed as often as necessary to prevent an odor nuisance. Feces shall be removed daily from yards, pens, and enclosures. The owner shall conduct his ownership and control of the animal in a manner so as not to cause or give rise to a nuisance.
- (e) No owner of an animal shall abandon it or fail to provide appropriate veterinary treatment, if ill.

- (f) No owner shall fail to provide his animals with proper shelter and protection from the weather.
- (g) No owner shall leave an animal unattended inside a motor vehicle when such action is harmful or potentially harmful to such animal. If the owner of such vehicle is not available and cannot be found or refuses to prevent such harm or potential harm, an animal control officer or a police officer shall be authorized to remove such animal from the vehicle and to utilize any reasonable method to effect such removal.
- (h) No one shall be allowed to bring a dog of any type within 150 feet of any parade route or other permitted public event regardless of whether or not the dog is leashed and muzzled. This proscription shall not apply to properly certified service animals, or dogs who are actually in the parade or featured in the public event, or dogs located on fenced real property immediately adjacent to parade routes, or the venue of the public event.

(Code 1967, § 4-4; Ord. No. 4-2012, § 1, 4-3-2012)

Sec. 10-5. - Keeping of animals within city limits.

- (a) It shall be unlawful for any person to keep or maintain chickens, ducks, geese, turkeys, or other domestic fowl of any kind, or sheep, cattle, mules, goats, horses or other similar animal, within 100 feet of any building or structure used as a residence by another. The provisions of this subsection shall not apply to cats and dogs.
- (b) It shall be unlawful for any person to keep hogs and pigs within the city, provided that this section shall not apply to sanctioned city or county events for the duration of such event.
- (c) No person shall leave or throw into any stream or river, nor offensively expose the body, or any part thereof, of any dead animal, nor shall the same be kept where it may be dangerous to the life or detrimental to the health of any person. The animal control division shall be promptly notified of the existence of any such dead animal and where it is to be found so that it may be removed and disposed of in a sanitary manner.
- (d) It shall be unlawful for any person who is not licensed as provided for in section 10-9 to keep more than five dogs or five cats or an aggregate of five dogs and cats at a single location within the city, with the exception that kittens or puppies born to a cat or dog kept at any such location may be kept for not more than five months from birth.

(Code 1967, § 4-5)

State Law reference— Municipal authority to suppress and regulate hog pens, MCA 1972, § 21-19-1.

Sec. 10-6. - Permitting to run at large.

It shall be unlawful for the owner of a dog to allow such dog to run at large upon the streets, alleys, commons of the city, or property of another. At all times when a dog is not confined by fence or otherwise to the property of its owner, such dog shall be kept on a leash and, if not in control, such dog may be impounded as provided for in section 10-43 by an animal control officer or police officer.

(Code 1967, § 4-6)

Sec. 10-7. - Keeping of vicious animals or vicious dogs.

- (a) A vicious dog or animal shall be securely confined in an enclosed and childproofed, locked pen or structure upon the premises of the owner. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded in the ground no less than two feet. Construction of such structure shall be required of any owner whose animal has been declared vicious pursuant to the terms of this section. Upon completion of construction

the owner shall notify an animal control officer and shall permit inspection of the structure by such officer to ascertain that it meets the requirements set forth herein. No vicious animal shall be confined in such structure until the same has been approved by an animal control officer.

- (b) No owner of a vicious dog or animal shall suffer or permit such dog or animal to go beyond the premises of such person unless such dog or animal is securely leashed and muzzled, except that a vicious dog shall not be required to be muzzled when shown either in a sanctioned American Kennel Club show or upon prior approval of the supervisor of the animal control division. Such dog or animal may not be tethered to inanimate objects, e.g., trees, buildings, etc., and the muzzle must be sufficient to prevent such dog or animal from biting persons or other animals.
- (c) No vicious dog or animal may be kept on a porch, patio, or any part of a house or structure that would allow the dog or animal to exit such building on his own volition. At anytime such animal is outside the owner's dwelling place, and unless the same is properly leashed and muzzled, it must be kept in the locked pen or structure described hereinabove. In addition, no such dog or animal may be kept in a house or structure where the windows are open or when screen windows or doors are the only obstacles preventing the dog or animal from exiting the structure.
- (d) Before filing a complaint in the municipal court for a violation under this section, the animal control supervisor shall give written notice to the person suspected of a violation that his dog or animal is deemed a vicious dog or animal and subject to the requirements of this section. The notice shall also inform the person named that he may appeal this determination to the city council within five business days, excluding holidays, by filing a written notice of appeal with the city clerk. Filing of such notice shall stay a determination pending action by the city council; however, if the vicious animal or dog has been impounded by an animal control officer, the same shall remain impounded until such time as the appeal is heard by the city council. Should the city council determine that the dog or animal is in fact vicious, or if there is no appeal, then the dog or animal shall remain impounded at the owner's expense until such time as the owner has constructed a pen that meets the requirements of this section for the confinement of the dog or animal when the same is out of doors and not otherwise leashed or muzzled as set forth hereinabove.
- (e) The municipal court, upon proper affidavit being made by an animal control officer, or a police officer, to the effect that such vicious animal or vicious dog is not being properly confined by the owner as contemplated herein, may issue its warrant allowing the animal control officer, or police officer, as the case may be, to immediately seize the dog or animal, regardless of its location, and have the same impounded at the owner's expense and until such time as a hearing on the violation can be held in the municipal court. Under no circumstances shall any dog or animal be returned to an owner until all expenses of the confinement of the dog or animal have been paid in full by the owner, or the owner's designee.
- (f) All owners of vicious dogs or animals within the city shall within ten days of the effective date of this ordinance display in a prominent place on their premises a sign easily readable by the public using such words as "beware of dog" or "dangerous animal". In addition, a similar sign shall be posted on the kennel or pen of such dog or animal and the owner shall be required to place a conspicuous tag on such dog or animal indicating that the same has been adjudicated to be a vicious dog or animal, which shall be provided by the city.
- (g) The supervisor of the animal control division shall keep a record of all vicious dogs or animals. Such record shall include a description of the dog or animal, species or breed, sex, approximate age, the physical address where the dog or animal is kept or harbored, the name of the owner and a photograph of the dog or animal.
- (h) Under no circumstances can the owner meet the requirements of the confinement of such dog or animal as set forth hereinabove by the owner's agreement to keep such dog or animal inside the owner's dwelling place.
- (i) An animal control officer is authorized to enter the premises where a vicious dog or animal is kept for the purpose of the inspection of the premises to ascertain whether or not such complies with the

provisions of this chapter. Such inspections shall be made only after five days notice to the occupant of the premises. If the occupant shall refuse the inspection, an inspection warrant from the municipal court may be requested to assist in the enforcement of this provision in the same manner as provided in section 14-11 of this Code.

(j) This section shall not apply to dogs kept by law enforcement agencies.

(Code 1967, § 4-7; Ord. No. 2-2009, § 1, 2-3-2009)

Sec. 10-8. - Tethering of dogs to stationary objects.

- (a) No person shall tether a dog to a stationary object.
- (b) If a dog is found to be tethered to a stationary object, the owner of the dog may be permitted to keep the dog on the tether for no more than 90 days. In determining whether to grant this permission, an animal control officer may take into consideration the past record of the owner with the subject dog and with other animals. In addition, this permission may be granted only on condition that the owner of such dog and the tether comply with all applicable laws relating to animals and all other provisions of this chapter.
- (c) During the grace period, a tether attached to a swivel or pulley shall be so located as to keep the dog exclusively on the secured premises. Tethers shall be so located that they cannot become entangled with other objects. Collars used to attach a dog to a tether shall not be of a choke type. No tether shall employ a restraint which is less than ten feet in length. The grace period may be deemed null and void immediately if the owner fails to comply at any time during the grace period with the aforementioned tether provisions and all other applicable laws relating to animals.
- (d) Upon expiration of the grace period, the owner must:
 - (1) Provide an enclosure or fenced yard for such dog with a minimum area of 100 square feet. Such enclosure shall be constructed of chainlink or similar type materials with all four sides enclosed. The enclosure shall be of sufficient height to prevent the dog from escaping from such enclosure. The top of such enclosure shall be covered with materials to provide the dog with shade and protection from the elements; or
 - (2) Place the dog on a tether, provided that it is at least ten feet in length, attached to a pulley or trolley mounted on a cable which is at least ten feet in length and mounted no more than seven feet above ground level, and which shall weigh no more than one-eighth of the dog's body weight; or
 - (3) Confine the dog within a building.

(Code 1967, § 4-8)

Sec. 10-9. - Pet stores, boarding kennels, grooming establishments, and for-profit pet breeders.

- (a) The city manager shall issue a license to pet stores, boarding kennels, grooming establishments, and for-profit pet breeders upon submission of a completed application, payment of a fee of \$10.00 and inspection of the premises by the animal control supervisor to ensure all conditions set forth in subsection (b) of this section are being met. The license shall expire one year from the date of issuance, unless earlier revoked for cause. Such license shall not be transferable.
- (b) Upon application for issuance or renewal of a license, an inspection shall be made of the premises to determine compliance with the following provisions:
 - (1) Any building on the premises shall be in good repair, structurally sound, shall not leak, and shall be easy to clean and sanitize. Drains must rapidly eliminate excess water on the floor. There must be adequate heat, cooling, ventilation and lighting.

- (2) Cages must allow the animals enough room to stand easily, turn about freely, and sit and lie in a normal position. Cages must be kept clean and in a good state of repair.
 - (3) All animals must be maintained in a healthy condition or, if ill, shall be given appropriate veterinary treatment.
 - (4) Animal and food waste and bedding must be removed as often as necessary to prevent an odor nuisance.
 - (5) Food supplies shall be stored in rodentproof containers. Food and water containers must be kept clean and sanitary.
 - (6) Premises and animals shall be kept reasonably free of insect infestation.
 - (7) No nuisance caused by odor or noise shall be permitted.
- (c) Periodic unannounced inspections by the animal control division shall be conducted.
- (d) Any pet store, boarding kennel, grooming establishment or for-profit pet breeder that is currently lawfully operating within the city at the time this chapter is enacted shall be given a license for the first year without having to meet the conditions set forth in this section. However, before any license is renewed after the first year, the owner of any such establishment must first meet the conditions of subsection (b) of this section. If the owner of any establishment that is currently operating changes its location or ownership the first year, the owner must apply for a new license and comply with all the requirements established in subsection (b) of this section. Charges may be filed for any violations of the provisions of this section. Each violation will be deemed a separate offense. The city manager may revoke a license for serious or repeated noncompliance with the provisions of this section. Appeal of a license revocation may be made in writing to the city council within five business days, and the revocation shall be stayed pending action by the council.

(Code 1967, § 4-9)

Sec. 10-10. - Violations; penalties.

Any person who shall violate any provision of this chapter, or fail to comply with any of the requirements thereof, shall be guilty of a misdemeanor.

(Code 1967, § 4-10)

Secs. 10-11—10-40. - Reserved.

ARTICLE II. - IMPOUNDMENT, QUARANTINE, AND SEIZURE OF ANIMALS^[2]

Footnotes:

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State Law reference— Municipal authority to provide for impoundment, MCA 1972, § 21-19-9.

Sec. 10-41. - Impoundment of animals attacking or injuring persons; rabid animals.

- (a) Any occurrence in which an animal bites a human shall be promptly reported to an animal control officer.

- (b) If an animal has bitten or scratched a human, is suspected of having rabies, or if it has been exposed to rabies, it shall be safely confined and quarantined for 14 days in either the public animal shelter or, at the owner's discretion and expense, in a veterinary hospital or clinic within the city and shall not be released from such quarantine except by written permission of the animal control supervisor. If the ownership of an animal needing confinement and quarantine for such reasons is unknown, it shall be confined and quarantined for such time in the public animal shelter.
- (c) While confined and quarantined, an animal shall be closely observed by the operating personnel of the public animal shelter, veterinary hospital, or clinic for symptoms of rabies, and, if such symptoms are observed, an immediate report thereof shall be made to the county health officer, and if a human has been bitten, to him or a parent or guardian, if he is a minor. If the county health officer determines that it is necessary to perform a pathological examination to determine if a quarantined animal has rabies, he is hereby authorized to kill it and to perform such examination. If a quarantined animal dies before the expiration of such 14-day period, its head shall be immediately given to the county health officer for pathological examination with reports of human contacts and the diagnosis made of the suspected animal.
- (d) An animal that is rabid or that is reasonably believed to be rabid shall be immediately delivered by its owner into the custody of an animal control officer, or, if the owner is unknown, an animal control officer shall forthwith take custody of such animal and he shall in either case immediately report the animal's condition to the county health officer.
- (e) If, after being confined and quarantined for such period, an animal is found to be free of rabies, it shall be returned to the owner after payment by the owner of the required fees if held in a public animal shelter, or, if held in a veterinary hospital or clinic at the owner's request, after payment by the owner of the fee of the hospital or clinic for such service.
- (f) When directed to do so by an animal control officer or a police officer it shall be unlawful for an owner of an animal that is rabid, that is reasonably believed to be rabid, that has been exposed to rabies, or that has bitten or scratched a human to refuse to deliver such animal into the custody of an animal control officer for confinement, quarantine, and observation in a public animal shelter or a veterinary hospital or clinic, if the owner chooses, or, when appropriate, for immediate destruction.
- (g) Unless necessary for the protection of the public health and safety, it shall be unlawful to summarily kill or remove from the city without written permission of the animal control supervisor an animal that has rabies, that is reasonably believed to have rabies, or that has bitten or scratched a human. Any such animal shall be immediately reported to a police officer or an animal control officer of the city after which it shall be dealt with as provided in this section.
- (h) The carcass of a dead animal that has been exposed to rabies shall upon demand be surrendered to an animal control officer or other authorized representative of the city.

(Code 1967, § 4-20)

Sec. 10-42. - Seizure of mistreated animal.

The seizure and impoundment of a mistreated animal for its care and protection shall be as provided for in state law.

(Code 1967, § 4-21)

Sec. 10-43. - Impoundment of at large animals.

An animal control officer or police officer may seize or cause to be seized any animal found at large and impound or cause to be impounded such animal in a designated public animal shelter. Such animal shall be held for a period not to exceed five days after which it may be destroyed or adopted. Prior to the release to the owner of any animal found to be at large and impounded, the supervisor of animal control shall authorize its release orally or in writing to the owner.

(Code 1967, § 4-22)

Sec. 10-44. - Additional proceedings against owner authorized.

The owner of an impounded animal may also be charged in municipal court for a violation of this chapter.

(Code 1967, § 4-23)

Sec. 10-45. - Elimination of animals.

- (a) When an animal or dog has been determined to be a vicious animal or dog or a feral dog, that animal or dog may be destroyed by an animal control officer, provided that one of the following requirements is met:
 - (1) The animal is running at large or not properly confined or muzzled.
 - (2) There is no vaccination tag on the dog.
- (b) It shall be the duty of an animal control officer or police officer either to humanely euthanize, or by use of a firearm, to mercifully end the life of an animal suffering from an incurable injury or disease or as the sole effective means of controlling a public nuisance or health hazard including, but not limited to, rabbits, squirrels, snakes, feral or vicious dogs and vicious animals.
- (c) A cat which is feral may be immediately eliminated on that basis alone.

(Code 1967, § 4-23)

Secs. 10-46—10-80. - Reserved.

ARTICLE III. - STABLES

Sec. 10-81. - When required.

Every person who shall maintain a horse, mule, cow or similar animal within the city shall provide a stable for the same.

(Code 1967, § 4-31)

Sec. 10-82. - Cleanliness.

Every stable, shed or lot where a horse, mule, cow, or similar animal is kept shall be thoroughly cleaned at least once each day. When such animals are kept in a stable, shed or other building, such building shall have sufficient light to make cleaning practicable, and sufficient ventilation to keep the air in such building clean at all times.

(Code 1967, § 4-32)

Sec. 10-83. - Container for manure and litter.

Every stable, shed or other building where a horse, mule, cow or similar animal is kept shall have either within or immediately adjoining it a flyproof and rodentproof box, bin or barrel for receiving and holding manure and litter accumulating between the times of removal from the premises.

(Code 1967, § 4-33)

Sec. 10-84. - Stall floors.

All stall floors in stables shall drain into gutters, such gutters to be connected through catchbasins with the storm sewer system of the city; provided, however, that where the storm sewer system of the city is not available by reason of being more than 150 yards from such stable, other approved drainage shall be provided.

(Code 1967, § 4-34)

Sec. 10-85. - Rodent control.

All parts of stables within this city, the construction of which express provision is not made for in this article, shall be rodentproofed in the manner in which buildings are normally required to be rodentproofed.

(Code 1967, § 4-35)

Sec. 10-86. - Feeding restricted.

The feeding of grain to horses, mules, cows, and similar animals in any yard or enclosed area or space not constructed as required by the provisions of this article is prohibited.

(Code 1967, § 4-36)

Sec. 10-87. - Exercising yards.

Any yard used for the exercising of any horse, mule, cow, or similar animal shall at all times be kept free from trash or accumulations of manure and must be well drained.

(Code 1967, § 4-37)

Sec. 10-88. - Walls.

The foundation walls of any stable within the city shall be constructed of concrete, brick, stone or other material impenetrable by rodents, laid in cement mortar, and shall not be less than six inches thick. The walls shall extend above the ground a sufficient height to be not less than a foot above the floor level, and the extension of such walls upward shall be made of concrete, brick, stone, or other impenetrable material by rodents, or of wood; but if of wood, shall contain no enclosed dead spaces. All openings in such foundation walls, except that made for the floors, shall be covered with metal grating having openings not greater than one-half inch between the gratings.

(Code 1967, § 4-38)

Sec. 10-89. - Floors.

- (a) Generally. The floors of stables other than the stalls shall be of concrete not less than three inches thick, or of stone, laid in cement mortar, or of other similar materials, and constructed in such a way as to prevent ingress or egress of rodents. Such floors shall have a slope of one-eighth inch per foot to the gutter drains.
- (b) Stalls. The floors of stalls in any stable shall have a slope of one-eighth inch per foot to the gutter drains, and may be of planking, fitted either tightly to a concrete floor not less than three inches thick, or elevated not more than one-half inch from such concrete floor and so constructed as to be easily removable. If such floors are constructed of creosoted wood blocks, brick, asphalt blocks, or of some substantial mineral pavement, laid on a concrete foundation, the removable planking shall be raised at least once a week, and the planking and concrete floor beneath thoroughly cleansed.

(Code 1967, §§ 4-39, 4-40)

Sec. 10-90. - Gutters.

Semicircular or V-shaped gutter drains in any stable shall be constructed in such a manner so that a gutter shall be placed to receive all liquid matter from each stall. Such gutters shall connect with the public sewer or with a main gutter of the same construction, which in turn shall be connected with the public sewer or other suitable drain. All openings from drains into sewers shall be protected by a metal grating, having openings not more than one-half inch between the grating.

(Code 1967, § 4-42)

Sec. 10-91. - Mangers.

Each manger within any stable shall be constructed so as to have a slope of two inches toward the bottom, shall be covered with tin or zinc, and shall be at least 18 inches deep to avoid spilling of food.

(Code 1967, § 4-43)

Sec. 10-92. - Food bins.

All food bins shall be constructed of cement, stone, metal or other material impenetrable by rodents, and shall have closefitting doors or lids. All grain, malt and other animal food, except hay, stored or kept in any stable must be kept closed at all times, except when momentarily opened to take food therefrom, or when same are being filled. No feed shall be scattered about outside such bin or in the stable, and all food found on the floor or in the stalls of such stables shall be removed daily and placed in the manure receptacle. No feedstuff intended for human consumption shall be kept or stored in any stable or any other place where animals are kept.

(Code 1967, § 4-44)

Sec. 10-93. - Minimum area.

There shall be at least 100 square feet of floor space for each horse, mule, cow or similar animal kept within a stable.

(Code 1967, § 4-45)